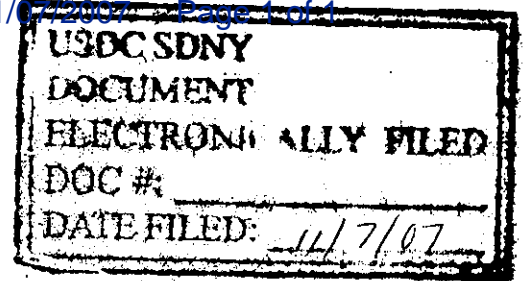


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
RODNEY BROWN,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONAL SERVICES, :
et al., :

Defendants. :
----- X

07 Civ. 5753 (GEL) (AJP)

ORDER

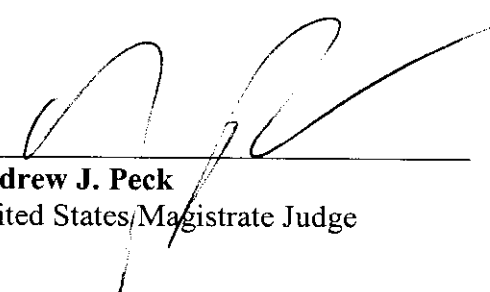
ANDREW J. PECK, United States Magistrate Judge:

Based on the discussion at today's conference, IT IS HEREBY ORDERED THAT:

1. Defendants' motion to dismiss the complaint is due November 30, 2007.
2. Plaintiff Brown's papers in opposition to the motion are due December 28, 2007.
3. Defendants' reply papers are due January 9, 2008.
4. The Court stays discovery until further order, because the motion appears to be meritorious (the claim appears to be one of negligence, which belongs in State court).

SO ORDERED.

Dated: New York, New York
November 7, 2007



Andrew J. Peck
United States Magistrate Judge

Copies to: Rodney Brown (Mail)
Abigail Goldenberg, Esq.
Alan Rosinus, Esq.
Judge Gerard E. Lynch